

U.S. DISTRICT COURT  
EASTERN DISTRICT-WI  
FILED  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

09 SEP -9 P2:00

UNITED STATES OF AMERICA,

Plaintiff,

v.

SERGEY MIKAYELYAN,

Defendant.

JON W. SANFILIPPO  
CLERK

09 CR-223

Case No. 09-CR-  
[18 U.S.C. § 1344]

---

INDICTMENT

---

THE GRAND JURY CHARGES:

**The Scheme to Defraud**

1. Beginning on or about September 24, 2005, and continuing through on or about July 27, 2009, in the State and Eastern District of Wisconsin and elsewhere,

**SERGEY MIKAYELYAN**

knowingly devised and participated in a scheme to defraud a federally insured financial institution, Citibank, South Dakota, N.A. The scheme involved material misrepresentations and concealment of material facts.

2. The essence of Mikayelyan's scheme to defraud was to obtain a Citibank credit card account by fraud and make a large-dollar purchase using the card for which purchase he did not intend to repay Citibank.

3. On or about September 24, 2005, Mikayelyan obtained a Citibank credit card account, ending with digits 2266, based on the materially false statement that his annual income was \$80,000, when in fact, as he knew, his income during 2005 was far less than that amount.

4. On or about July 27, 2009, Mikayelyan charged \$13,063.04 against Citibank credit card account 2266 at AutoSource Motors, Inc., in Milwaukee, Wisconsin, as a partial payment toward the purchase of a BMW X3 vehicle. That charge raised the card's balance to within \$200 of its \$16,600 credit limit. When he made that charge, Mikayelyan did not intend to repay Citibank for the full amount he had charged.

5. On or about July 28, 2009, Mikayelyan caused a \$16,000 convenience check, drawn on a US Bank credit card account in the name of R.G., to be deposited at a Citibank branch in Vernon Hills, Illinois, with the request that the check be credited to Mikayelyan's Citibank credit card account 2266. However, as Mikayelyan knew, that \$16,000 check, which was returned for insufficient funds, was well in excess of the available balance on R.G.'s US Bank credit card account.

6. Through his scheme, Mikayelyan fraudulently obtained at least \$13,000 and exposed Citibank to the risk of loss and actual loss.

7. At the time of the offense, the deposits of Citibank, South Dakota, N.A., were insured by the Federal Deposit Insurance Corporation.

**COUNT ONE: Bank Fraud**

THE GRAND JURY FURTHER CHARGES:

8. On or about July 27, 2009, in the State and Eastern District of Wisconsin and elsewhere,

**SERGEY MIKAYELYAN**

knowingly and intentionally executed the above-described scheme to defraud by charging \$13,063.04 against Citibank credit card account 2266 at AutoSource Motors, Inc., in Milwaukee, Wisconsin, as a partial payment toward the purchase of a BMW X3 vehicle, for which debt he did not intend to repay Citibank.

All in violation of Title 18, United States Code, Section 1344.

## FORFEITURE NOTICE

9. Upon conviction of the offense in violation of Title 18, United States Code, Section 1344, set forth in Count One of this Indictment, the defendant, Sergey Mikayelyan, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation. The property to be forfeited includes, but is not limited to, the following:

- a. A grey 2004 BMW X3-Series 2.5i VIN WBXPA73424WB21270;  
and
- b. A sum of money equal to the proceeds derived from the offense.

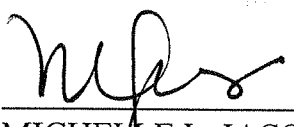
10. If any of the property described above, as a result of any act or omission by a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third person; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be subdivided without difficulty, the United States of America

shall be entitled to forfeiture of substitute property, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1).

A TRUE BILL:

  
FOREPERSON

Date 9/9/09

  
\_\_\_\_\_  
MICHELLE L. JACOBS  
United States Attorney